Statutes of Kansas.

68-2002, G.S., 1959 Supp. "In order to provide for the construction of modern express highways or super-highways embodying, where feasible and necessary, safety devices, including center division, ample shoulder widths, longsight distances, multiple lanes in each direction and grade separation at intersections with other highways and railroads, and thereby facilitate vehicular traffic, provide better connections between the highway system of Kansas and the highway systems of the adjoining states, remove many of the present handicaps and hazards on the congested highways in the state, and promote the agricultural and industrial development of the state, the Kansas Turnpike Authority (hereinafter created), is hereby authorized and empowered to construct, maintain, repair and operate turnpike projects (as hereinbefore defined), and to issue revenue bonds of the authority, payable solely from revenues, to finance such projects. No toll road project shall be undertaken unless and until such project and the proposed location therefor have been thoroughly studied with respect to traffic, engineering, cost and financing nor unless such study shows: (a) That public funds for construction of a free expressway are not available; (b) that the construction of a toll expressway can be financed wholly through the investment of private funds in toll road revenue bonds; and (c) that the project and indebtedness incurred therefor will be entirely self-liquidating through tolls and other income from operation of the project."

68-2003, G.S., 1959 Supp. "There is hereby created a body politic and corporate to be known as the 'Kansas Turnpike Authority.' The authority is hereby constituted a public instrumentality and the exercise by the authority of the powers conferred by this act in the construction, operation and maintenance of turnpike projects shall be deemed

and held to be the performance of an essential governmental function."

68-2004, G.S., 1959 Supp. "The authority is hereby authorized and empowered to: (a) Adopt bylaws for the regulation of its affairs and the conduct of its business; (b) adopt an official seal and alter the same at pleasure; (c) maintain an office at such place or places within the state as it may designate; (d) sue and be sued in its own name, plead and be impleaded; (e) determine the location subject to the approval of the state highway commission, of each turnpike project financed under the provisions of this act, determine its design and the materials of construction, and construct, maintain, repair and operate the same; (f) issue turnpike revenue bonds of the authority for any of its corporate purposes, payable solely from the tolls and revenues pledged for their payment, and to refund its bonds, all as provided in this act; (g) fix and revise from time to time and charge and collect tolls for transit over each turnpike project constructed by it; (h) establish rules and regulations for the use of any such turnpike project; (i) acquire, hold and dispose of real and personal property in the exercise of its powers and the performance of its duties under this act; (j) designate the locations, and establish, limit and control such points of ingress to and egress from each turnpike project as may be necessary or desirable in the judgment of the authority to insure the proper operation and maintenance of such project, and to prohibit entrance to such project from any point or points not so designated; (k) make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act; (l) employ consulting engineers, attorneys, accountants, construction and financial experts, superintendents, managers, and such other employees and agents as may be neces-

sary in its judgment, and to fix their compensation; (m) receive and accept from any federal agency grants for or in aid of the construction of any turnpike project, and to receive and accept aid or contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made; and (n) do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

68-2007, G.S., 1959 Supp. "The authority is hereby authorized to provide by resolution, at one time or from time to time, for the issuance of turnpike revenue bonds of the authority for the purpose of paying all or any part of the cost of any one or more turnpike projects. The principal of and the interest on such bonds shall be payable solely from the funds herein provided for such payment.

"The proceeds of the bonds of each issue shall be used solely for the payment of the cost of the turnpike project or projects for which such bonds shall have been issued, and shall be disbursed in such manner and under such restrictions, if any, as the authority may provide in the resolution authorizing the issuance of such bonds or in the trust agreement hereinafter mentioned securing the same * * *.

"* * * Bonds may be issued under the provisions of this act without obtaining the consent of any department, division, commission, board, bureau or agency of the state, and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required by this act."

68-2008, G.S., 1959 Supp. "Revenue bonds issued under the provisions of this act shall not be deemed to constitute a debt of the state or of any political subdivision thereof or a pledge of the faith and credit of the state or

of any such political subdivision thereof, but all such bonds shall be payable solely from the funds herein provided therefor from revenues. All such revenue bonds shall contain on the face thereof a statement to the effect that neither the state nor the authority shall be obligated to pay the same or the interest thereon except from revenues of the project or projects for which they are issued and that neither the faith and credit nor the taxing power of the state or of any political subdivision thereof is pledged to the payment of the principal of or the interest on such bonds."

68-2009, G.S., 1959 Supp. "The authority is hereby authorized to fix, revise, charge and collect tolls for the use of each turnpike project and the different parts or sections thereof, * * *.

"* * * Such tolls shall be so fixed and adjusted in respect of the aggregate of tolls from the turnpike project or projects in connection with which the bonds of any issue shall have been issued as to provide a fund sufficient with other revenues, if any, to pay (a) the cost of maintaining, repairing and operating such turnpike project or projects and (b) the principal of and the interest on such bonds as the same shall become due and payable, and to create reserves for such purposes. Such tolls shall not be subject to supervision or regulation by any other commission, board, bureau or agency of the state. The tolls and all other revenues derived from the turnpike project or projects in connection with which the bonds of any issue shall have been issued, except such part thereof as may be necessary to pay such cost of maintenance, repair and operation and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of such bonds or in the trust agreement securing

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the same, shall be set aside at such regular intervals as may be provided in such resolution or such trust agreement in a sinking fund which is hereby pledged to, and charged with, the payment of the principal of and the interest on such bonds as the same shall become due, and the redemption price or the purchase price of bonds retired by call or purchase as therein provided. * * *"

68-2010, G.S., 1959 Supp. "In the discretion of the authority any bonds issued under the provisions of this act may be secured by a trust agreement by and between the authority and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the state. * * *"

68-2011, G.S., 1959 Supp. "All moneys received pursuant to the authority of this act, whether as proceeds from the sale of bonds or as revenues, shall be deemed to be trust funds to be held and applied solely as provided in this act. * * *"

68-2012, G.S., 1959 Supp. "Any holder of bonds issued under the provisions of this act or any of the coupons appertaining thereto, and the trustee under any trust agreement, except to the extent the rights herein given may be restricted by such trust agreement, may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the state or granted hereunder or under such trust agreement or the resolution authorizing the issuance of such bonds, and may enforce and compel such trust agreement or resolution to be performed by the authority or by any officer thereof, including the fixing, charging and collecting of tolls."

68-2015, G.S., 1959 Supp. "All private property damaged or destroyed in laying out and constructing said

turnpike project shall be restored or repaired and placed in its original condition as nearly as practicable or adequate compensation made therefor out of funds provided under the authority of this act."

68-2017, G.S., 1959 Supp. "Except as hereinafter provided in this section, when all bonds issued under the provisions of this act in connection with any turnpike project and the interest thereon shall have been paid or a sufficient amount for the payment of all such bonds and the interest thereon to the maturity thereof shall have been set aside in trust for the benefit of the bondholders, such project, if then in good condition and repair, shall become a part of the state highway system and shall thereafter be maintained by the state highway commission. * * *"

68-2019, G.S., 1959 Supp. "* * * That the issuance of turnpike revenue bonds or turnpike revenue refunding bonds under the provisions of this act need not comply with the requirements of any other law applicable to the issuance of bonds. Except as otherwise expressly provided in this section, none of the powers granted to the authority under the provisions of this act shall be subject to the supervision or regulation or require the approval or consent of any municipality or political subdivision or any commission, board, bureau, official or agency thereof or of the state."

68-2021, G.S., 1959 Supp. "The state highway commission and the Kansas turnpike authority are hereby authorized and empowered to contract with each other, by the terms of which contract or contracts the state highway commission may undertake (1) to provide personnel and equipment, either of the state highway commission or consulting or contracting firms, required in

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making any traffic and cost studies or surveys or origin-destination studies necessary preliminary to financing by the Kansas turnpike authority of any particular toll project undertaken as authorized by law, and to do such work; (2) to provide personnel and equipment required, and to do any engineering, geological work, soils testing or materials testing which may be required by the Kansas turnpike authority either preliminary to the financing of any particular toll project authorized by law or which may be required after such financing and during the construction of such project: * * *"

68-2022, G.S., 1959 Supp. "The Kansas turnpike authority is hereby authorized to contract for the services as set out in section 1 (68-2021) which contracts shall provide, on behalf of the Kansas turnpike authority as follows: (1) That it shall reimburse the state highway commission out of the proceeds of the sale of bonds for any such project or, from any other funds available for the purpose, the amount so expended by the state highway commission on said particular project for such services rendered prior to the sale of such turnpike revenue bonds, and (2) it shall pay to the state highway commission, as billed by it, all charges made for such services done and rendered as a part of or necessary to the construction of such project."

68-2025, G.S., 1959 Supp. "The Kansas turnpike authority and the superintendent of the Kansas highway patrol are hereby authorized to provide by contract or agreement, as provided herein, for the policing of any toll or turnpike constructed and operated as permitted and provided by law. All such contracts or agreements shall be subject to the approval of the governor and, if made, shall provide that the total cost of said policing,

including, but not limited to all salaries, expenses, uniforms, equipment, retirement benefits provided for members of the Kansas highway patrol assigned to any toll or turnpike facility, vehicles, communication equipment, training of members and other items properly chargeable as costs of said policing shall be paid by the Kansas turnpike authority. * * *"

74-2001, G.S. 1949. "That there is hereby created a state highway commission which shall be a body corporate with powers to sue and be sued. * * *"

74-2006, G.S. 1949. "* * * The attorney general shall appoint an assistant attorney general, who shall be the attorney for the state highway commission, and whose salary shall be fixed and paid as provided for employees of said state highway commission. * * *"